

1 Timothy A. Lukas, Esq.  
Nevada Bar No. 4678  
2 Joseph G. Went, Esq.  
Nevada Bar No. 9220  
3 HOLLAND & HART LLP  
9555 Hillwood Drive, 2nd Floor  
4 Las Vegas, Nevada 89134  
Tel: (702) 669-4600  
5 Fax: (702) 669-4650  
Email: jgwent@hollandhart.com  
6 Attorneys for John Beach, Trustee of the  
Beach Living Trust dated January 22, 1999  
7

8 **UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

9 In re:  
10 ANTHONY THOMAS and WENDI THOMAS

11 ☐ Affects ANTHONY THOMAS and  
12 WENDI THOMAS

13 ☒ Affects AT EMERALD, LLC

14 ☐ Affects all Debtors  
15  
16  
17

Case No.: BK-N-14-50333-btb  
Chapter: 11

[Lead Case – Jointly Administered]

Case No.: BK-N-14-50331-btb  
Chapter: 11

**NOTICE OF ENTRY OF ORDER  
ON MOTION TO COMPEL  
PRODUCTION OF REQUIRED  
KEY OR AUTHORIZE DRILL OUT  
OF VAULT LOCK**

**Hearing Date: July 30, 2014**  
**Hearing Time: 10:00 a.m. PST**

18 PLEASE TAKE NOTICE that on the 5th day of August, 2014, an *Order on Motion to*  
19 *Compel Production of Required Key or Authorize Drill out of Vault Lock* was entered in the  
20 above-captioned case, a copy of which is attached hereto.

21 Dated this 5th day of August, 2014.

22 **HOLLAND & HART LLP**

23 */s/ Timothy A. Lukas*

24 By: \_\_\_\_\_  
Timothy A. Lukas, Esq. (4678)  
25 Joseph G. Went, Esq. (9220)  
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27  
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**CERTIFICATE OF SERVICE**

On August 5, 2014, I served a true and correct copy of the **NOTICE OF ENTRY OF ORDER ON MOTION TO COMPEL PRODUCTION OF REQUIRED KEY OR AUTHORIZE DRILL OUT OF VAULT LOCK** as follows:

**Via the Court's Notice of Electronic Filing:**

- KEVIN A. DARBY kevin@darbylawpractice.com, alecia@darbylawpractice.com; sarah@darbylawpractice.com; itati@darbylawpractice.com; tricia@darbylawpractice.com
- TIMOTHY A LUKAS ecflukast@hollandhart.com
- STEFANIE T. SHARP ssharp@rbsllaw.com, btaylor@rbsllaw.com; czaehringer@rbsllaw.com
- WAYNE A. SILVER w\_silver@sbcglobal.net, ws@waynesilverlaw.com
- ALAN R SMITH mail@asmithlaw.com
- AMY N. TIRRE amy@amytirrelaw.com, admin@amytirrelaw.com
- U.S. TRUSTEE - RN - 11 USTPRegion17.RE.ECF@usdoj.gov
- JOSEPH G WENT JGWent@hollandhart.com, algrangaard@hollandhart.com

I declare under penalty of perjury that the foregoing is true and correct.

DATED this 5th day of August, 2014

*/s/ Liz Ford*

\_\_\_\_\_  
SIGNATURE OF DECLARANT

Holland & Hart LLP  
9555 Hillwood Drive, 2nd Floor  
Las Vegas, Nevada 89134  
Phone: (702) 669-4600 ♦ Fax: (702) 669-4650

*Bruce T. Beesley*Honorable Bruce T. Beesley  
United States Bankruptcy JudgeEntered on Docket  
August 05, 2014

Timothy A. Lukas, Esq.  
Nevada Bar No. 4678  
Joseph G. Went, Esq.  
Nevada Bar No. 9220  
HOLLAND & HART LLP  
9555 Hillwood Drive, 2nd Floor  
Las Vegas, Nevada 89134  
Tel: (702) 669-4600  
Fax: (702) 669-4650  
Email: jgwent@hollandhart.com

*Attorneys for John Beach, Trustee of the  
Beach Living Trust dated January 22, 1999*

## UNITED STATES BANKRUPTCY COURT

## DISTRICT OF NEVADA

In re:

ANTHONY THOMAS and WENDI THOMAS

- ☒ Affects AT EMERALD, LLC  
☐ Affects all Debtors

Case No.: BK-N-14-50333-btb  
Chapter: 11

[Lead Case – Jointly Administered]

Case No.: BK-N-14-50331-btb  
Chapter: 11

**ORDER ON MOTION TO COMPEL  
PRODUCTION OF REQUIRED  
KEY OR AUTHORIZE DRILL OUT  
OF VAULT LOCK**

Hearing Date: July 30, 2014

Hearing Time: 10:00 a.m.

Creditor John Beach (“Beach”), as trustee of the Beach Living Trust dated January 22, 1999 (the “Beach Trust”), by and through its attorneys, Holland & Hart LLP, filed its Motion to Compel Production of Required Key or Authorize Drill Out of Vault Lock and Reply (the

1 “Motion” and “Reply”, respectively) [Dkt#124 and 152, respectively] seeking an order from this  
2 Court in support of examination of the Debtor’s primary asset secured in a vault in Sarasota,  
3 Florida. The Debtor, by and through its attorney, Holly E. Estes, Esq. of the Law Offices of  
4 Alan R. Smith, filed its opposition [Dkt #150] to the Motion requesting that the Motion be  
5 denied. The Court, having reviewed the parties’ pleadings and the case file, and after argument  
6 of counsel at the hearing on this matter, placed its findings on the record which are incorporated  
7 by reference pursuant to F.R.B.P. 7052 and F.R.C.P. 52; and,  
8

9 **IT IS HEREBY ORDERED that:**

10 1. The Debtor and/or it’s principle, Anthony Thomas, provide the key necessary to  
11 access the Sarasota Vault where the Debtor’s emerald is stored to Debtor’s counsel no later than  
12 Friday, August 1, 2014;

13 2. Debtor’s counsel shall thereafter immediately deliver the key to counsel for the  
14 Beach Trust, Mr. Lukas, in order to access the vault and complete the examination as scheduled  
15 in Florida;

16 3. The individuals accessing the vault and examining the emerald shall be limited to  
17 a representative of the Beach Trust, its counsel and a gemologist. Counsel for the Beach Trust  
18 shall provide Debtor’s counsel the name of all individuals accessing the vault prior to such  
19 examination including the name and qualifications of any gemologist, the name of the  
20 representative of the Beach Trust, and the name and bar number for counsel present while the  
21 examination of the emerald is to take place; and

22 4. One week following the inspection by the Beach Trust, the Debtor and the Beach  
23 Trust shall file a status report with the court on the results of the examination and status of the  
24 sale previously approved by the Court.

25  
26 **IT IS SO ORDERED**  
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1 In accordance with LR 9021, counsel submitting this document certifies as follows (check one):

2 ☐ The court has waived the requirement set forth in LR 9021(b)(1).

3 ☐ No party appeared at the hearing or filed an objection to the motion.

4 ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and  
5 each has approved or disapproved the order, or failed to respond, as indicated below:

6 Attorney/Party	Approved	Disapproved	Failed to Respond
7 Holly E. Estes, Esq., attorney for the Debtor	X		

9 ☐ I certify that this is a case under chapter 7 or 13, that I have served a copy of this order with the  
10 motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order.

11 SUBMITTED BY:

12 */s/ Timothy A. Lukas*

13 TIMOTHY A. LUKAS, ESQ.

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Holland & Hart LLP  
9555 Hillwood Drive, 2nd Floor  
Las Vegas, Nevada 89134  
Phone: (702) 669-4600 ♦ Fax: (702) 669-4650